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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on October 27, 2005.

Joseph Weathered

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Peter J. WILK
SERIAL NO. : 09/342,824
FILED : 06/29/99
FOR : Apparatus and Method for Resonant Destruction of Tumors
GROUP ART UNIT : 3737
EXAMINER : Eleni M. Mantis Mercader

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450*

CONDITIONAL REQUEST FOR EXTENSION OF TIME

S I R:

It is believed that an Appeal Brief is due to be filed in the above-identified application on October 27, 2005, the Certificate of Mailing date of a Brief on Appeal enclosed herewith.

In the event that the deadline for submitting a Brief on Appeal is prior to October 27, 2005 and thus has passed, applicant respectfully requests a one-month extension of time for filing a Brief. The extended deadline is subsequent to October 27, 2005.

A Brief on Appeal is enclosed herewith.

On condition that an extension is required to file a Brief in the above-identified application, the Commissioner is authorized to charge Sixty Dollars (\$60.00) in payment of the fee for a one-month extension of time for a small entity to Deposit Account No. 04-0838.

The Commissioner is further authorized to charge any additional fees due in connection with this communication, and to credit any overpayment, to Deposit Account No. 04-0838.

A copy of this Request is enclosed for deposit account charging purposes.

Respectfully submitted,

COLEMAN SUDOL SAPONE, P.C.

By: 

R. Neil Sudol
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Dated: October 27, 2005